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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,422	03/30/2001	Phani Kumar Bidarahalli	390086.94723	3206

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EXAMINER

MANIWANG, JOSEPH R

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/681,422

Applicant(s)

BIDARAHALLI ET AL.

Examiner

Joseph R. Maniawang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-16 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-16 and 18-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

2. Claims 2-9, 14-16, and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Nguyen et al. (U.S. Pat. No. 5,920,692), hereinafter referred to as Nguyen.
3. Regarding claim 6, Nguyen disclosed a method and system for a remote notification service. Nguyen disclosed an event source ("Multi-User Server"), an event listener for receiving events from the event source ("Listener"/"Monitoring Tool"), and an event name service ("Notification Directory") through which both the event sources or event listeners could register with (see column 1, lines 49-53; column 3, lines 7-14, 26-34; column 4, lines 28-32). Nguyen further disclosed filtering events to listeners (see column 3, lines 30-35; Fig. 3).
4. Regarding claims 9 and 18, Nguyen disclosed an event source ("Multi-User Server"), an event listener for receiving events from the event source ("Listener"/"Monitoring Tool"), and an event name service ("Notification Directory") through which both the event sources or event listeners could register with (see column 1, lines 49-53; column 3, lines 7-14, 26-34; column 4, lines 28-32). Nguyen further disclosed the broad concept of the event name service acting as a proxy for an event

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source before the event source was on line as claimed (see column 3, lines 7-35; Fig. 2).

5. Regarding claim 14 and 21, Nguyen disclosed an event source ("Multi-User Server"), an event listener for receiving events from the event source ("Listener"/"Monitoring Tool"), and an event name service ("Notification Directory") through which both the event sources or event listeners could register with (see column 1, lines 49-53; column 3, lines 7-14, 26-34; column 4, lines 28-32). Nguyen further disclosed filtering events to listeners, employing combinations of events as claimed (see column 3, lines 7-35; Fig. 2, 3).

6. Regarding claim 20, Nguyen disclosed an event source ("Multi-User Server"), an event listener for receiving events from the event source ("Listener"/"Monitoring Tool"), and an event name service ("Notification Directory") through which both the event sources or event listeners could register with (see column 1, lines 49-53; column 3, lines 7-14, 26-34; column 4, lines 28-32). Nguyen further disclosed providing a list of services in response to a request (see column 4, lines 11-27), and firing a desired event from the event source to a registered event listener as claimed (see column 3, lines 26-34). Determining whether a desired event source is registered as claimed is inherent in the invention of Nguyen as it was disclosed that a Multi-User Server registered its Notification Directory services with a local ORB in order to enable remote applications to query event services (see column 4, lines 12-19).

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7. Regarding claims 2 and 16, Nguyen disclosed that event sources and event listeners could reside on separate physical machines, thus differing in at least the respective devices on which each host resides as claimed (see column 4, lines 33-37).
8. Regarding claim 3, Nguyen disclosed that communication between event sources and event listeners could occur by way of LAN (see column 2, lines 24-30), thus disclosing communication by way of internet as claimed, and further disclosed the use of Java applets as claimed (see column 3, lines 14-18).
9. Regarding claim 4, Nguyen further disclosed the ability to deregister from the event name service in addition to registering as claimed (see column 3, lines 10-14).
10. Regarding claim 5, Nguyen disclosed a plurality of additional listener objects as claimed (see column 3, lines 26-27).
11. Regarding claim 7, Nguyen disclosed an event source delivering events to a set of registered event listeners, thus disclosing a multicast mode of operation as claimed (see column 3, lines 26-35).
12. Regarding claim 8, Nguyen disclosed additional event sources, and further that a list of available event sources could be provided in response to a command issued by an event listener (see column 4, lines 11-27).
13. Regarding claim 15, Nguyen disclosed the use of ORB (see column 4, lines 12-27). Examiner submits that ORB was well-known in the art as part of the OMG standard which defined CORBA, thus disclosing the use of CORBA as claimed.

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14. Regarding claim 19, Nguyen disclosed both providing a list of registered event sources and unregistering event sources/listeners from the event name service as claimed (see column 4, lines 11-27; column 3, lines 10-14).

Claim Rejections - 35 USC § 103

15. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al. (U.S. Pat. No. 5,920,692), hereinafter referred to as Nguyen, and further in view of what was well-known at the time of invention.

16. Nguyen disclosed a method and system for a remote notification service. Nguyen disclosed an event source ("Multi-User Server"), an event listener for receiving events from the event source ("Listener"/"Monitoring Tool"), and an event name service ("Notification Directory") through which both the event sources or event listeners could register with (see column 1, lines 49-53; column 3, lines 7-14, 26-34; column 4, lines 28-32). Nguyen disclosed employing the use of Java for defining event interfaces used between event sources and event listeners (see column 32, lines 7-25).

17. Examiner submits that the use of library packages in a computer networking environment was well known in the art at the time the invention was made.

18. It would have been obvious to one of ordinary skill in the art at the time of invention to consider the use of library packages in the system of Nguyen. As previously recited, Nguyen disclosed the use of Java. It was well known at the time of invention that the Java programming language included the use of libraries. Although Nguyen does not teach the specifically named library packages claimed, the claimed

library package names are not commonly used in the art and are an arbitrary choice left to the artisan. Furthermore, the functionality of the specific library packages are not defined in the claims, and are instead described in terms of structure by which library/class/subclass name is included in the package. As such, the claims provide no substantial subject matter other than the broad use of library packages, which is inadequate to differentiate the invention over the prior art.

19. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al. (U.S. Pat. No. 5,920,692), hereinafter referred to as Nguyen, and further in view of Licato et al. (U.S. Pat. No. 6,356,780), hereinafter referred to as Licato.

20. Nguyen disclosed a method and system for a remote notification service. Nguyen disclosed an event source ("Multi-User Server"), an event listener for receiving events from the event source ("Listener"/"Monitoring Tool"), and an event name service ("Notification Directory") through which both the event sources or event listeners could register with (see column 1, lines 49-53; column 3, lines 7-14, 26-34; column 4, lines 28-32). The invention of Nguyen generally related to a method and system for standardizing general purpose services without constricting such a system to a particular browser application (see column 1, lines 20-23).

21. While the invention of Nguyen relates to a general purpose service architecture between clients and servers, Nguyen does not specifically disclose the use of an MRI medical imaging system, a CT system, a PET medical imaging system, an x-ray scanner, or a nuclear imaging scanner in such a system.

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22. In a related art of medical devices, Licato disclosed a method for managing medical imaging devices and their associated peripherals. Licato disclosed common imaging systems in the medical field, including MRI, CT, x-ray, and PET (see column 1, lines 17-32; column 2, lines 43-62).

23. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Nguyen and Licato to use the system described by Nguyen in the context of an MRI, CT, PET, or x-ray system as claimed. The invention of Nguyen sought to provide improved event communications between servers and clients. Licato recognized a need for an improved technique for managing data relating to medical imaging systems and peripherals (see column 2, lines 33-40). Including such systems in the system of Nguyen would have extended the suggested functionality to them, thus providing the benefits of allowing such devices to interoperate, creating a system where a wider variety of medical devices could communicate data.

Response to Arguments

24. Applicant's arguments filed 05/27/05 have been fully considered but they are not persuasive.

25. Regarding claims 9 and 18 rejected under 35 U.S.C. 102(b) as being anticipated by Nguyen (U.S. Pat. No. 5,920,692), Applicant asserts that Nguyen does not teach "an event name service acting as a proxy for event generators that have not yet been registered until they subsequently come on line". More specifically, Applicant asserts

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Nguyen does not suggest "a listener being registered prior to an event generator and the event name service acting as a proxy". In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., registering a listener before registering an event generator) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The claims recite registering a listener when an event source is "not yet online" (see claim 9) or "currently not on line" (see claim 18), and doing so until such an event source "becomes on line" (see claim 9), rather than any event source registering as argued by Applicant. Examiner submits that the broadly claimed limitations recited in claims 9 and 18 are taught by Nguyen. Nguyen disclosed registration of listeners with an event name service, where the registration of listeners existed independent of whether an event source was connected (i.e., "on line") or not (see column 3, lines 7-25; Fig. 2). Furthermore, the broad concept of the event name service acting as a proxy was taught by Nguyen, as it was disclosed that the event name service used "Notifiers" for connecting to listeners before the event source was on line (see column 3, lines 7-35; Fig. 2).

26. Regarding claim 6 rejected under 35 U.S.C. 102(b) as being anticipated by Nguyen (U.S. Pat. No. 5,920,692), Applicant asserts that Nguyen did not teach filtering of the events "using a filter determined by the notification directory". Applicant asserts that Nguyen instead disclosed sending all events to all registered listeners, therefore

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teaching a multicast mode and not a filtering mode. Examiner disagrees. Nguyen disclosed registering a listener in "various server events" (see column 3, lines 10-14) and later delivering events to the Notifier, which then delivered the event to the "particular Listener" (see column 3, lines 30-35; Fig. 3). Here, it is clear to one of ordinary skill in the art that certain events generated by the events source are sent only to the corresponding listeners that have registered with a particular Notifier and not to all registered listeners as argued by Applicant. Examiner submits that Nguyen then disclosed the same functionality as the one argued by Applicant as this teaching clearly reads upon the broad concept of filtering events in order to determine whether to provide the event to a listener as claimed.

27. Regarding claims 14 rejected under 35 U.S.C. 102(b) as being anticipated by Nguyen (U.S. Pat. No. 5,920,692) and 21, Applicant asserts that "Nguyen does not consider combinations of events in determining notifications to listeners". Examiner submits that Nguyen taught the broadly claimed feature where it was disclosed that listeners could register for various server events (see column 3, lines 12-13), each event considered in combination by the event name system when filtering to the listeners (see column 3, lines 35-44; Fig. 4).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM

MARC D. THOMPSON
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PRIMARY EXAMINER